

26.314	Amendment of applications for General Wireless Communications Service -- Amendments as of right (other than applications filed on FCC Form 175) (move to consolidated Part 1 rule).	1.925, 1.927
26.315	Application for temporary authorizations (move to consolidated Part 1 rule).	1.933
26.316	Receipt of application; applications in the General Wireless Communications Service filed on FCC Form 175 and other applications in the GWCS Service (move to consolidated Part 1 rule).	1.911
26.317	Public notice period (move to consolidated Part 1 rule).	1.947
26.318	Dismissal and return of applications (move to consolidated Part 1 rule).	1.945
26.319	Ownership changes and agreements to amend or dismiss applications or to dismiss pleadings (move to consolidated Part 1 rule).	1.931
26.320	Oppositions to applications (move to consolidated Part 1 rule).	1.947
26.322	Consideration of applications (move to consolidated Part 1 rule).	1.941
26.323	Post-auction divestitures (change to allow electronic filing of agreements via ULS).	26.323
26.324	Transfer of control or assignment of station authorization (move to consolidated Part 1 rule).	1.931
26.325	Extension of time to complete authorization (move to consolidated Part 1 rule).	1.929
26.326	Termination of authorization (move to consolidated Part 1 rule).	1.955

81. Part 26 of Title 47 of the Code of Federal Regulations (CFR) is amended as follows:

PART 26 – GENERAL WIRELESS COMMUNICATIONS SERVICES.

#. The authority citation for Part 26 continues to read as follows:

Authority: 47 U.S.C. Sections 154, 301, 302, 303, 309 and 332, unless otherwise noted.

##. Section 26.2(b) is revised to read as follows:

Sec. 26.2 Other applicable rule parts.

* * * *

(b) Part 1. * * * Subpart F includes the rules for the Wireless Telecommunications Services and the procedures for filing electronically via the ULS.

##. Section 26.4 is revised by adding the following definition:

Sec. 26.4 Terms and definitions.

* * * *

Universal Licensing System. The Universal Licensing System (ULS) is the consolidated database, application filing system, and processing system for all Wireless Radio Services. ULS supports electronic filing of all applications and related documents by applicants and licensees in the Wireless Radio Services, and provides public access to licensing information.

* * * *

#. Section 26.11 is amended by revising paragraph (a) in the following manner:

Sec. 26.11 Initial authorization.

(a) An applicant must file a single application for an initial authorization for all markets won and frequency blocks desired.

(b) * * *

##. Section 26.104 is amended by adding paragraph (e) as follows:

Sec.26.104

Construction requirements.

* * *

(e) The Commission will notify licensees by letter, sent electronically via the ULS or by mail, within ninety days before the end of the construction period, that the end of the five- and ten-year periods to provide service to one-third and two-thirds, respectively, of the population in the licensee's area is approaching. The licensee must notify the FCC electronically by using FCC Form 601 via the ULS, no later than by the end of the five- and ten-year periods, respectively, that it has met the applicable service requirements. If the licensee fails to respond within the allotted time, then the authorization will automatically terminate.

#. Section 26.207 is amended by revising the paragraph in the following manner:

Sec. 26.207 Long-form applications.

Winning bidders will be required to submit a long-form application on FCC form 601 within ten business days after being notified that they are the winning bidder. A single application for all winning markets must be filed. Applications on FCC Form 601 shall be submitted pursuant to the procedures set forth in Subpart G of this Part and sec. 1.2107(c) and (d) of this chapter and any associated Public Notices. Only auction winners will be eligible to file applications on FCC Form 601 for initial GWCS licenses in the event of mutual exclusivity between applicants filing Form 175.

#. Section 26.209 is amended by revising subparagraph (b)(2) in the following manner:

Sec. 26.209 Eligibility for partitioned licenses.

* * * * *

(b) * * *

(2) Each rural telephone company that is a party to an agreement to partition the license shall file, either electronically via the ULS or with a paper form, a long-form application for its respective, mutually agreed-upon geographic area together with the application for the remainder of the Economic Area filed by the auction winner.

* * * * *

#. Section 26.303 is removed.

Sec. 26.303 [Removed]

#. Section 26.304 is removed.

Sec. 26.304 [Removed]

#. Section 26.305 is removed.

Sec. 26.305 [Removed]

#. Section 26.306 is removed.

Sec. 26.306 [Removed]

#. Section 26.307 is removed.

Sec. 26.307 [Removed]

#. Section 26.310 is removed.

Sec. 26.310 [Removed]

#. Section 26.311 is removed.

Sec. 26.311 [Removed]

#. Section 26.312 is removed.

Sec. 26.312 [Removed]

#. Section 26.313 is removed.

Sec. 26.313 [Removed]

#. Section 26.314 is removed.

Sec. 26.314 [Removed]

#. Section 26.315 is removed.

Sec. 26.315 [Removed]

#. Section 26.316 is removed.

Sec. 26.316 [Removed]

#. Section 26.317 is removed.

Sec. 26.317 [Removed]

#. Section 26.318 is removed.

Sec. 26.318 [Removed]

#. Section 26.319 is removed.

Sec. 26.319 [Removed]

#. Section 26.320 is removed.

Sec. 26.320 [Removed]

#. Section 26.322 is removed.

Sec. 26.322 [Removed]

#. Section 26.323 is amended by revising the first sentence of paragraph (a) in the following manner.

Sec. 26.323 Post-auction divestitures.

* * * * *

(a) The GWCS applicant shall submit electronically via the ULS, a signed statement with its long-form application (FCC Form 601) stating that sufficient properties will be divested within ninety days of the license grant. If the licensee is otherwise qualified, the Commission will grant the applications subject to a condition that the licensee come into compliance with the GWCS spectrum aggregation limits within 90 days of grant of the license.

* * * * *

#. Section 26.324 is removed.

Sec. 26.324 [Removed]

#. Section 26.325 is removed.

Sec. 26.325 [Removed]

#. Section 26.326 is removed.

Sec. 26.326 [Removed]

**APPENDIX H
PROPOSED RULES - PART 27**

CURRENT RULE NUMBER	SUBJECT (proposed change)	PROPOSED NEW OR REVISED RULE NUMBER
27.3	Other applicable rule parts (change to revise description of Part 1).	27.3
27.4	Terms and definitions (to add ULS).	27.4
27.11	Initial authorization (to allow auction winners to file a single application for all winning markets).	27.11
27.14(e)	Construction requirements (add notification section).	27.14(e)
27.15 (b)(1)	Coordinate data (NAD83 instead of NAD27).	27.15(b)(1)
27.59	Environmental requirements (change form numbers to reflect ULS forms).	27.59
27.207	Procedures for filing petitions to deny against WCS long-form applications (move to consolidated Part 1 rule).	1.947
27.301	Authorization required (move to consolidated Part 1 rule).	1.911
27.303	Formal and informal applications (eliminate letter filings).	No new rule
27.304	Filing of WCS applications, fees, and number of copies (move to consolidated Part 1 rule).	1.914
27.306	Miscellaneous forms (move to consolidated Part 1 rule).	1.931, 1.945
27.307	General application requirements (eliminate ownership information; move to consolidated Part 1 rule).	1.911
27.310	Waiver of rules (move to consolidated Part 1 rule).	1.937
27.311	Defective applications (move to consolidated Part 1 rule).	1.945
27.312	Inconsistent or conflicting applications (move to consolidated Part 1 rule).	1.923
27.313	Amendment of applications for Wireless Communications Service (move to consolidated Part 1 rule).	1.925

27.314	Application for temporary authorizations (move to consolidated Part 1 rule).	1.933
27.315	Receipt of application (move to consolidated Part 1 rule).	1.911
27.316	Public notice period (move to consolidated Part 1 rule).	1.947
27.317	Dismissal and return of applications (move to consolidated Part 1 rule).	1.945
27.319	Ownership changes and agreements to amend or dismiss applications or pleadings (move to consolidated Part 1 rule).	1.949
27.320	Opposition to applications (move to consolidated Part 1 rule).	1.949
27.322	Consideration of applications (move to consolidated Part 1 rule).	1.911
27.324	Transfer of control or assignment of station authorization (move to consolidated Part 1 rule).	1.933
27.325	Termination of authorization (move to consolidated Part 1 rule).	1.955

Part 27 of Chapter 1 of Title 47 of the Code of Federal Regulations is amended as follows:

Part 27 – WIRELESS COMMUNICATIONS SERVICES

##. Section 27.3(b) is revised to read as follows:

Sec. 27.3 Other applicable rule parts.

* * * *

(b) Part 1. * * * Subpart F includes the rules for the Wireless Telecommunications Services and the procedures for filing electronically via the ULS.

##. Section 27.4 is revised by adding the following definition:

Sec. 27.4 Terms and definitions.

* * * *

Universal Licensing System. The Universal Licensing System (ULS) is the consolidated database, application filing system, and processing system for all Wireless Radio Services. ULS supports electronic filing of all applications and related documents by applicants and licensees in the Wireless Radio Services, and provides public access to licensing information.

* * * *

#. Section 27.11 is amended by revising paragraph (a) in the following manner:

Sec. 27.11 Initial authorization.

(a) An applicant must file a single application for an initial authorization for all markets won and frequency blocks desired.

(b) * * *

#. Section 27.14 is amended as follows:

Sec. 27.14 Construction requirements; Criteria for comparative renewal proceedings.

* * *

(e) The Commission will notify licensees by letter, sent electronically via the ULS or by mail, within ninety days of the end of the construction period, that the end of the ten-year-period to provide "substantial service" in the licensee's area is approaching. The licensee must notify the Commission electronically by using FCC Form 601 via the ULS, no later than end of the ten-year-period that it has met the substantial service requirement. If the licensee fails to respond within the allotted time, then the authorization will automatically terminate.

#. Section 27.15 is amended by revising the text of paragraph (b)(1) to read as follows:

Sec. 27.15 Geographic partitioning and spectrum disaggregation.

(b) ***

(1) Partitioning. In the case of partitioning, requests for authorization for partial assignment of a license must include, as attachments, a description of the partitioned service area and a calculation of the population of the partitioned service area and the licensed geographic service area. The partitioned service area shall be defined by coordinate points at every 3 degrees along the partitioned service area unless a Commission recognized service area is utilized (*i.e.* Major Trading Area, Basic Trading Area, Metropolitan Service Area, Rural Service Area, Economic Area, or Major Economic Area) or county lines are followed. The geographic coordinates must be specified in degrees, minutes, and seconds to

the nearest second of latitude and longitude and must be based upon the 1983 North American Datum (NAD 83).

* * *

#. Section 27.59 is amended by revising the text as follows:

Sec. 27.59 Environmental requirements.

WCS operations that may have significant environmental impact as defined by sections 1.1301 and 1.1319 of this chapter, must file an FCC Form 601 electronically via the ULS and supply specific technical information about the proposed site(s) prior to construction of each site as well as an environmental assessment in accordance with sections 1.1301 through 1.1319 of this chapter. ***

##. Section 27.207 is removed.

Sec. 27.207 [Removed]

##. Section 27.301 is removed.

Sec. 27.301 [Removed]

#. Section 27.303 is removed.

Sec. 27.303 [Removed]

#. Section 27.304 is removed.

Sec. 27.304 [Removed]

#. Section 27.306 is removed.

Sec. 27.306 [Removed]

#. Section 27.307 is removed.

Sec. 27.307 [Removed]

#. Section 27.310 is removed.

Sec. 27.310 [Removed]

#. Section 27.311 is removed.

Sec. 27.311 [Removed]

#. Section 27.312 is removed.

Sec. 27.312 [Removed]

#. Section 27.313 is removed.

Sec. 27.313 [Removed]

#. Section 27.314 is removed.

Sec. 27.314 [Removed]

#. Section 27.315 is removed.

Sec. 27.315 [Removed]

#. Section 27.316 is removed.

Sec. 27.316 [Removed]

#. Section 27.317 is removed.

Sec. 27.317 [Removed]

#. Section 27.319 is removed.

Sec. 27.319 [Removed]

#. Section 27.320 is removed.

Sec. 27.320 [Removed]

#. Section 27.322 is removed.

Sec. 27.322 [Removed]

#. Section 27.324 is removed.

Sec. 27.324 [Removed]

#. Section 27.325 is removed.

Sec. 27.325 [Removed]

APPENDIX I
PROPOSED RULES - PART 80

CURRENT RULE NUMBER	SUBJECT (proposed change)	PROPOSED NEW OR REVISED RULE NUMBER
80.3	Other applicable rule parts to this chapter (revise description of Part 1 to include changes made by implementation of ULS; amend (k) to reflect Part 101).	80.3
80.11	Scope (revise description of Part 1 to include changes made by implementation of ULS)	80.11
80.19	Standard forms to be used (move to consolidated Part 1 Rule).	80.19
80.21	Supplemental information required (change to allow electronic filing of supplemental information via ULS).	80.21
80.23	Filing of applications (move to consolidated Part 1 Rule).	1.915
80.29	Changes during license term change to allow electronic filing of written notices via ULS).	No new rule
80.33	Developmental license (change to allow electronic filing of supplemental eligibility via ULS).	80.33
80.49	Time in which station is placed in operation (add notification section).	80.49
80.53	Application for a portable ship station license (change to allow electronic filing of application via ULS).	80.53
80.59 (c)	Compulsory ship inspections (change form numbers).	80.59 (c)
80.469	Maritime Mobile Repeater Stations in Alaska (change to allow electronic filing of applications via ULS).	80.469
80.511	Assignment limitations (change to allow electronic filing of applications via ULS).	80.511
80.513	Frequency coordination (change to allow electronic filing of applications via ULS).	80.513

80.553	Supplemental eligibility requirements (change to allow electronic filing of supplemental information via ULS).	80.553
80.605	US Coast Guard Coordinator (change to require submission of Coast Guard approval of radionavigation stations only if requested by the Commission)	80.605

PART 80-STATIONS IN THE MARITIME SERVICES

#. The authority citation for Part 80 continues to read as follows:

AUTHORITY: Secs. 4, 303, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, and 303, unless otherwise noted. Interpret or apply 48 Stat. 1064-1068, 1081-1105, as amended; 47 U.S.C. 151-155, 301-609; 3 UST 3450, 3 UST 4726, 12 UST 2377..

#. Section 80.3 is amended by revising paragraph (k) to read as follows:

Sec. 80.3 Other applicable rule parts of this chapter.

(a) * * *

(k) Part 101. This part contains rules concerning the private microwave service relating to point-to-point communication requirements.

* * * * *

#. Section 80.19 is amended by deleting and reserving this section:

Sec. 80.19 Reserved.

* * * * *

#. Section 80.21 is amended by revising the introductory paragraph, deleting paragraphs (a) and (b), revising paragraph (e), and redesignating paragraphs (c), (d), and (e) as (a), (b), and (c) respectively to read as follows:

Sec. 80.21 Supplemental information required.

Applications must contain supplementary information as indicated in this section. Other supplemental information may be required by other rule sections of this part concerning particular maritime services.

(a) * * *

(c) A new station on a vessel not located in the United States must not be documented or otherwise registered by any foreign authority. The foreign authorities where the vessel is located will not or cannot license the vessel radio equipment and can not object to the licensing of the equipment by the United States. An applicant must provide verification of these facts upon request by the Commission.

#. Section 80.23 is amended by deleting and reserving this section.

Sec. 80.23 Reserved.

#. Section 80.29 is amended by deleting and reserving this section.

Sec. Sec. 80.29 Reserved.

#. Section 80.33 is amended by revising paragraphs (b) and (c) to read as follows:

Sec. 80.33 Developmental license.

(b) Showing required. Each application for a developmental license must be accompanied by the following showing: * * *

(c) Statement of understanding. The showing must state that the applicant agrees that any developmental license issued will be accepted with the express understanding that it is subject to change in any of its terms or to cancellation in its entirety at any time, upon reasonable notice but without a hearing, if, in the opinion of the Commission, circumstances should so require.

* * * * *

#. Section 80.49 is revised to read as follows:

Sec. 80.49 Time in which station is placed in operation.

This section applies only to public coast and public fixed stations. When a new license has been issued or additional operating frequencies have been authorized, the station or frequencies must be placed in operation no later than eight months from the date of grant. The Commission will notify licensees by letter, sent electronically via the Universal Licensing System or by mail, within ninety days, that the end of its construction period is approaching. The licensee must notify the Commission either electronically via the Universal Licensing System or by mail using FCC Form 601, no later than 15 days after the end of the construction period confirming that the station or frequencies have been placed in operation. If the licensee fails to respond within the allotted time, then the authorization will automatically terminate.

#. Section 80.53 is amended by revising paragraph (a) to read as follows:

Sec. 80.53 Application for a portable ship station license.

(a) The Commission may grant a license permitting operation of a portable ship station aboard

different vessels of the United States. Each application for a portable ship station must including a certification that:

* * * * *

#. Section 80.56 is amended by revising the title and text to read as follows:

Sec. 80.56 Assignment of ship station license.

A ship station license may be assigned to another eligible entity, so long as the assignee modifies that ship station license with the Commission in order to revise the information pertaining to the vessel and its ownership.

* * * * *

#. Section 80.59 is amended by revising paragraph (c) to read as follows:

Sec. 80.59 Compulsory ship inspections.

(a) ***

(c) Application for exemption. FCC Form 601 must be used to apply for exemption from the radio provisions of part II or III of title III of the Communications Act, the Safety Convention, or the Great Lakes Radio Agreement, or for modification or renewal of an exemption previously granted. Applications for exemptions must be submitted to Federal Communications Commission, Waiver Requests, P.O. Box 358300, Pittsburgh, Pennsylvania 15251-5300. Such applications must be accompanied by the appropriate fee amount, as set forth in sec. 1.1102 of this chapter. Emergency requests must be filed with the Federal Communications Commission, Office of the Secretary, 1919 M Street, NW., room 222, Washington, DC 20554. (Note: with emergency requests, do not send the fee, you will be billed.)

* * * * *

#. Section 80.469 is amended by revising paragraph (c) to read as follows:

Sec. 80.469 Maritime mobile repeater stations in Alaska.

(a) * * *

(c) Maritime mobile repeater stations may not be authorized in cases where operational fixed frequencies can be employed.

* * * * *

#. Section 80.511 is amended by revising paragraph (c) to read as follows:

Sec. 80.511 Assignment limitations.

(a) * * *

(c) An applicant for an additional frequency based on congestion of the assigned frequency may be asked by the Commission to show that for any four periods of five consecutive days each, in the preceding six months, the assigned frequency was in use at least twenty-five percent of the time during three hours of daily peak activity.

#. Section 80.513 is amended by revising paragraph (c)(1) to read as follows:

Sec. 80.513 Frequency coordination.

(a) * * *

(c)(1) In lieu of the field study, the applicant may acquire a statement from a frequency coordinating committee. The applicant must certify on the application concerning the recommendations of the coordinating committee. The committee must * * *

* * * * *

#. Section 80.553 is amended by revising the initial paragraph to read as follows:

Sec. 80.553 Supplemental eligibility requirements.

An applicant for an operational fixed station must certify that:

* * * * *

#. Section 80.605 is amended by revising paragraphs (a), (c)(9), and (d) to read as follows:

Sec. 80.605 U.S. Coast Guard coordination.

(a) Radionavigation coast stations operated to provide information to aid in the movement of any ship are private aids to navigation. Before submitting an application for a radionavigation station, an applicant must obtain written permission from the cognizant Coast Guard District Commander having jurisdiction over the area in which the device will be located. The Commission may request an applicant to provide documentation as to this fact. Note: Surveillance radar coast stations do not require U.S. Coast Guard approval.

(b) * * *

(c) * * *

(1) * * *

(9) The maximum station e.i.r.p. if it would exceed 5 watts. The Commission may request an applicant to provide a copy of the request and the U.S. Coast Guard approval.

(d) * * * and the hours of operation. The Commission may request an applicant to provide a copy of

the request and the U.S. Coast Guard approval.

APPENDIX J
PROPOSED RULES - PART 87

CURRENT RULE NUMBER	SUBJECT (proposed change)	PROPOSED NEW OR REVISED RULE NUMBER
87.3	Other applicable rule parts (revise description of Part 1 to include changes made by implementation of ULS).	87.3
87.17	Scope (revise description of Part 1 to include changes made by implementation of ULS).	87.17
87.21	Standard forms to be used (move to consolidated Part 1 Rule).	1.913, 1.923
87.23(a)	Supplemental information required (change to allow electronic filing of supplemental information via ULS).	87.23
87.25 intro and (b)	Filing of applications (move to consolidated Part 1 Rule).	1.913
87.31	Changes during license term (major/minor amendments, ALs/TCs).	87.31
87.33	Transfer of aircraft station license prohibited (change to allow electronic filing of information via ULS).	87.33
87.35	Cancellation of license (change to allow electronic filing of cancellation via ULS).	87.35
87.37(a)	Developmental license (change to allow electronic filing of supplemental eligibility via ULS).	87.37(a)
87.45	Time in which station is placed in operation (add notification section).	87.45
87.51(a)	Aircraft earth station commissioning (change form numbers).	87.51(a)
87.137	Types of emission (change to allow electronic filing of information via ULS).	87.137
87.215(d)	Supplemental eligibility (change to allow electronic filing of supplemental eligibility via ULS).	87.215(d)
87.239	Supplemental eligibility change to allow electronic filing of supplemental eligibility via ULS).	87.239

87.301(b)	Supplemental eligibility (change to allow electronic filing of supplemental eligibility via ULS).	87.301
87.307(d)	Cooperative use of facilities change to allow electronic filing of information via ULS).	87.303(d)
87.321	Supplemental eligibility (change to allow electronic filing of supplemental eligibility via ULS).	87.321
87.323	Frequencies (change to allow electronic filing of information via ULS).	87.323
87.347(c)	Supplemental eligibility (change to allow electronic filing of supplemental eligibility via ULS).	87.347(c)
87.419(b)	Supplemental eligibility (change to allow electronic filing of supplemental eligibility via ULS).	87.419
87.421	Frequencies (change to allow electronic filing of information via ULS).	87.421
87.423	Hours of operation (change to allow electronic filing of information via ULS).	87.423
87.447	Supplemental eligibility change to allow electronic filing of supplemental eligibility via ULS).	87.447
87.475(a)	Frequencies (change to allow electronic filing of information via ULS).	87.475(a)
87.481	Unattended operation of domestic radiobeacon stations (change to allow electronic filing of information via ULS).	87.481
87.527(b)	Supplemental eligibility (change to allow electronic filing of supplemental eligibility via ULS).	87.527(b)

PART 87-AVIATION SERVICES

A. The authority citation for Part 87 continues to read as follows:

AUTHORITY: 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, and 303, unless otherwise noted. Interpret or apply 48 Stat. 1064-1068, 1081-1105, as amended; 47 U.S.C. 151-155, 301-609..

B. Section 87.17 is revised to read as follows:

Sec. 87.17 Scope

Part 1 of the Commission's rules contains the general rules of practice and procedure applicable to proceedings before the Commission and for the filing of applications for radio station licenses in the aviation services. Specific guidance for each type of radio service license in aviation services is set forth in this Part.

C. Section 87.21 is amended by deleting and reserving this section:

Sec. 87.21 Reserved.

* * * * *

D. Section 87.23 is amended by deleting and reserving this section:

Sec. 87.23 Reserved.

* * * * *

E. Section 87.25 is amended by revising paragraph (b) to read as follows:

Sec. 87.25 Filing of applications.

(a) ***

(b) An application must be filed with the Commission in accordance with Part 1, Subpart F of this chapter. Applications requiring fees as set forth at Part 1, Subpart G of this chapter must be filed in accordance with Sec. 0.401(b) of the rules.

* * * * *

F. Section 87.31 is amended by deleting and reserving this section.

Sec. 87.31 Reserved.

G. Section 87.33 is amended by revising the title and text to read as follows:

Sec. 87.33 Assignment of aircraft station license.

An aircraft station license may be assigned to another eligible entity, so long as the assignee modifies that station license with the Commission.

H. Section 87.35 is revised to read as follows:

Sec. 87.35 Cancellation of license.

When a station permanently discontinues operation the station license must be cancelled in accordance

with the procedures set forth in Part 1 of this chapter.

- I. Section 87.37 is amended by revising paragraph (a) to read as follows:

Sec. 87.37 Developmental license.

(a) Showing required. Each application for a developmental license must be accompanied by the following showing:

* * * * *

- J. Section 87.45 is revised to read as follows:

Sec. 87.45 Time in which station is placed in operation.

This section applies only to unicom stations and radionavigation land stations, excluding radionavigation land test stations. When a new license has been issued or additional operating frequencies have been authorized, the station or frequencies must be placed in operation no later than eight months from the date of grant. The Commission will notify licensees by letter, sent electronically via the Universal Licensing System or by mail, within __ days, that the end of its construction period is approaching. The licensee must notify the Commission (Form 601), either electronically via the Universal Licensing System or by mail, no later than 15 days after the end of the construction period confirming that the station or frequencies have been placed in operation. If the licensee fails to respond within the allotted time, then the authorization will automatically terminate.

- K. Section 87.51 is amended by revising paragraph (a) to read as follows:

Sec. 87.51 Aircraft earth station commissioning.

(a) Aircraft earth stations which require commissioning to use a privately owned satellite system must submit FCC Form 605 to the Commission before transmitting on any satellite frequency bands allocated for aeronautical mobile-satellite communications.

* * * * *

- L. Section 87.137 is amended by removing paragraph (d).

- M. Section 87.215 is amended by revising paragraph (d) to read as follows:

Sec. 87.215 Supplemental eligibility.

(a) * * *

(d) * * *ten days preceding the filing of the application with the Commission. Each applicant must certify upon application that either notice has been given and include the date of * * *

- N. Section 87.239 is revised to read as follows:

Sec. 87.239 Supplemental eligibility.

Each applicant for a multicom may be required to demonstrate why such a station is necessary, based on the scope of service defined above.

O. Section 87.301 is amended by revising paragraph (b) to read as follows:

Sec. 87.301 Supplemental eligibility.

(a) * * *

(b) Each application must include a certification sufficient to establish the applicant's eligibility under the criteria in paragraph (a) of this section.

P. Section 87.307 is amended by revising paragraph (d) to read as follows:

Sec. 87.307 Cooperative use of facilities.

(a) * * *

(d) Applicants for an additional flight test land station at an airport where such a station is already authorized may be required to submit a factual showing to include the following:

* * * * *

Q. Section 87.321 is revised to read as follows:

Sec. 87.321 Supplemental eligibility.

Each applicant must certify as to its eligibility under the scope of service described above.

R. Section 87.323 is amended by revising paragraph (b) to read as follows:

Sec. 87.323 Frequencies.

(a) * * *

(b) * * * Applicants for 121.950 MHz must coordinate their proposal with the appropriate FAA Regional Spectrum Management Office. The application must specify the FAA Region notified and the date notified. Applicants for aviation support * * *

* * * * *

S. Section 87.347 is amended by revising paragraphs (b) and (c) to read as follows:

Sec. 87.347 Supplemental eligibility.

(a) * * *

(b) * * *

- (1) Have a need to routinely operate a ground vehicle on the airport movement area;
 - (2) Maintain a list of the vehicle(s) in which the station is to be located;
 - (3) Certify on the application that either the applicant is the airport owner or operator, or a state or local government aeronautical agency, or that the airport owner or operator has granted permission to operate the vehicle(s) on the airport movement area.
- (c) An applicant for an aeronautical utility station requesting authority to transmit on the local control (tower) frequency or on the control tower remote communications outlet (RCO) frequency must certify that the Air Traffic Manager of the airport control tower approves the requested use of the tower or RCO frequency.

T. Section 87.419 is amended by revising paragraph (b) to read as follows:

Sec. 87.419 Supplemental eligibility.

(a) * * *

- (b) Each applicant must notify the appropriate FAA Regional Office prior to submitting an application to the Commission.

U. Section 87.421 is amended by revising paragraph (b) to read as follows:

Sec. 87.421 Frequencies.

(a) * * *

- (b) Frequencies in the bands 200.0-285.0 and 325.0-405.0 kHz will normally be assigned only to control towers and RCOs authorized to operate on at least one VHF frequency. The Commission may assign frequencies in these bands to entities that do not provide VHF service in cases where granting such an application will not adversely affect life and property in the air.

* * * * *

V. Section 87.423 is revised to read as follows:

Sec. 87.423 Hours of operation.

The control tower must render a communications service 24 hours a day unless the Commission determines, in coordination with the NTIA IRAC, that reduced hours of service will not adversely affect life and property in the air.

W. Section 87.447 is amended by revising the initial paragraph to read as follows:

Sec. 87.447 Supplemental eligibility.

An applicant for an operational fixed station must certify that:

* * * * *

X. Section 87.473 is amended by removing paragraph (a) and redesignating paragraphs (b) and (c) as (a) and (b) respectively.

Y. Section 87.475 is amended by revising paragraph (a) to read as follows:

Sec. 87.475 Frequencies.

(a) * * * location or emission. Each application must include the FAA Regional Office notified and date of notification.

* * * * *

Z. Section 87.481 is amended by revising paragraph (a) to read as follows:

Sec. 87.481 Unattended operation of domestic radiobeacon stations.

(a) Radiobeacons may be licensed for unattended operation. An applicant must comply with the following:

(1) * * *

(4) A properly authorized person must be able to reach the transmitter and disable it in a reasonable amount of time, so as not to adversely affect life or property in the air;

* * * * *

AA. Section 87.527 is amended by revising paragraph (b) to read as follows:

Sec. 87.527 Supplemental eligibility.

(a) * * *

(b) Eligibility for an automatic weather observation station or an automatic terminal information station is limited to the owner or operator of an airport or to a person who has entered into a written agreement with the owner or operator for exclusive rights to operate and maintain the station. A copy of the agreement must be kept with the station's records.

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**APPENDIX K
PROPOSED RULES - PART 90**

CURRENT RULE NUMBER	SUBJECT (proposed change)	PROPOSED NEW OR REVISED RULE NUMBER
90.5(b), (m)	Other applicable rule parts (revise Part 1 to include changes made by implementation of ULS; update part 101).	90.5(b), (m)
90.7	Definitions (add definition for ULS)	90.7
90.111	Scope (revise Part 1 to include changes made by implementation of ULS).	90.111
90.117	Applications for radio station or radio system authorizations (move to consolidated Part 1 Rule).	1.903, 1.915
90.119	Application forms (revise to reflect implementation of electronic filing).	90.119
90.123	Full disclosures (move to consolidated Part 1 Rule).	1.923
90.125	Who may sign applications (move to consolidated Part 1 Rule).	1.917
90.127	Submission and filing of applications (revise to allow electronic filing via ULS).	90.127
90.127(a)	Submission and filing of applications (move and combine with 90.175).	90.175
90.127(d)	Submission and filing of applications (combine with new rule).	1.913, 1.915
90.129	Supplemental information to be routinely submitted with applications (change to allow electronic filing of information via ULS).	90.129
90.131	Amendment or dismissal of applications (move to consolidated Part 1 Rule).	1.927, 1.934
90.135	Modification of license (revise to reflect electronic filing via ULS).	90.135
90.137(a)	Applications for operation at temporary locations (revise to reflect electronic filing and cross-reference 1.933).	90.137(a)